IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.1278 OF 2005
IN
SUMMARY SUIT NO.1920 OF 2004

Shivasar G. Shukla Plaintiff

versus

Rajaram R. Yadav Defendant

R.P.Ojha for plaintiff.

B.N.Shukla for defendant,.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 3rd May 2006

PC :

1. After hearing the plaintiff and defendant, in my view, no prejudice will be caused to the defendant if permission is granted to the plaintiff to amend the prayer clause in the plaint and substitute figure of Rs.1.75 lakh (Rs.One lakh seventy five thousand only) by Rs.2.17 lakh (Rs.Two lakh seventeen thousand only). From a perusal of the plaint and more particularly paragraph 21 (page 5) and the earlier paragraphs, it is apparent that the error

is typographical and, therefore, it does not prejudice the defendant in any manner. Needless to state that merely because the amendment is granted, does not mean that the defendant cannot raise appropriate pleas with regard to the claim in the suit, and all such pleas including bar of limitation set out by the defendant are kept open.

2. Chamber Summons is allowed in terms of prayer clause (a). Amendment to be carried out within four weeks.

(S.C.DHARMADHIKARI, J.)